



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

RON MENOR
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
KYMBERLY MARCOS PINE
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
ERNEST Y. MARTIN
TREVOR OZAWA

JOURNAL

REGULAR MEETING
11TH SESSION
WEDNESDAY, SEPTEMBER 6, 2017

KAPOLEI HALE
1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C
KAPOLEI, HAWAII 96707

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ron Menor, at 10:19 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Martin, Pine, Menor - 8.

Excused: Councilmember Ozawa - 1.

INTRODUCTION OF GUESTS

Councilmember Pine introduced Rodney Boucher from the Ewa Beach Emergency Preparedness Team and offered his invitation to the Get Ready Ewa Beach Preparedness Fair on Saturday, September 9, 2017 from 9:00 a.m. to 1:00 p.m. at Ewa Makai Middle School.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 10th Session (August 9, 2017) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Pine.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTION **RESOLUTION 17-206**

RESOLUTION RELATING TO THE APPOINTMENT OF DR. TIMOTHY R. SLAUGHTER TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-206 to the Committee on Parks, Community and Customer Services for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION **RESOLUTION 17-207**

RESOLUTION RELATING TO THE REAPPOINTMENT OF MR. RANDALL C. WHATTOFF TO SERVE ON THE BOARD OF REVIEW II FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-207 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-222

RESOLUTION RELATING TO THE REAPPOINTMENT OF ETHEL L. FLEMING TO SERVE ON THE CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-222 to the Committee on Executive Matters and Legal Affairs for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

D-631 Carolee C. Kubo, Director, Department of Human Resources

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-223

RESOLUTION RELATING TO THE REAPPOINTMENT OF MR. MICHAEL ELLIS TO SERVE ON THE BOARD OF REVIEW I FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-223 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-224

RESOLUTION RELATING TO THE REAPPOINTMENT OF MR. JACINTO LEGAL TO SERVE ON THE BOARD OF REVIEW III FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-224 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-225

RESOLUTION RELATING TO THE REAPPOINTMENT OF MR. DONALD LAU TO SERVE ON THE BOARD OF REVIEW II FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-225 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-4130 Cathy Lee

M-4131 Jason T. Okuhama

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-231

RESOLUTION RELATING TO THE REAPPOINTMENT OF MS. TINA AU TO SERVE ON THE BOARD OF REVIEW I FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-231 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-232

RESOLUTION RELATING TO THE REAPPOINTMENT OF MS. JEANNINE SOUKI TO SERVE ON THE BOARD OF REVIEW II FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-232 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-233

RESOLUTION RELATING TO THE APPOINTMENT OF RAYNARD C. SOON TO SERVE
ON THE BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Ray Soon (General comment)

Council Chair Menor referred Resolution 17-233 to the Committee on Public Works,
Infrastructure and Sustainability for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

D-629 Ernest Y.W. Lau, P.E., Manager and Chief Engineer, Board of Water Supply

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-234

RESOLUTION RELATING TO THE APPOINTMENT OF CHRISTOPHER A. DACUS TO
SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY
OF HONOLULU.

The following individual testified:

Christopher Dacus (General comment)

Council Chair Menor referred Resolution 17-234 to the Committee on Parks, Community and Customer Services for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-191 – COMMITTEE REPORT 315

RESOLUTION RELATING TO THE REAPPOINTMENT OF PAMELA K. TONGG TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 315 and Resolution 17-191 be adopted. Seconded by Chair Emeritus Martin.

The following individual testified:

Pamela Tongg (General comment)

Committee Report 315 and Resolution 17-191 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Ms. Tongg on her appointment.

ADOPTION

RESOLUTION 17-190 – COMMITTEE REPORT 324

RESOLUTION RELATING TO THE REAPPOINTMENT OF EDWARD M. JOSEPH TO SERVE ON THE BOARD OF REVIEW III FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 324 and Resolution 17-190 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 324 and Resolution 17-190 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Chair Menor recognized and congratulated Mr. Joseph on his appointment.

PUBLIC HEARING/SECOND READING

BILL 70 – COMMITTEE REPORT 308

A BILL FOR AN ORDINANCE RELATING TO SMOKING.

Councilmember Elefante moved that Committee Report 308 be adopted and Bill 70 pass second reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Scott Stensrud (M-4145) (Support)
2. Jaylen Murakami, Hawaii Public Health Institute (M-4175) (Support)
3. Daniel Neyer (Oppose)
4. Lila Johnson, State Department of Health (M-4181) (Support)

Councilmember Elefante stated his support for the measure and requested the support of councilmembers. He noted that other neighbor island counties already have laws in place prohibiting adults from smoking in vehicles when a minor is present.

Committee Report 308 was adopted and Bill 70 passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

M-4143	Linda Kalahiki
M-4144	Jason Huynh
M-4148	Michael Zehner, Hawaii Smokers Alliance
M-4149	County of Kauai, Office of the Prosecuting Attorney
M-4150	Bryan Mih
M-4151	Mae Kyono, M.D., President, American Academy of Pediatrics – Hawaii Chapter
M-4152	Al Jamora
M-4153	Sharon Hicks
M-4154	Rian Yalamanchili
M-4155	Brit Reis
M-4156	Kim Swartz
M-4177	Kathleen Corpuz
M-4178	Venkataraman Balaraman
M-4179	Elijah Todd-Walden, Youth Council
M-4180	Kevin K. Makino
M-4182	Don Weisman, American Heart Association
M-4183	Everett Higa
M-4184	Natalie Iwasa
M-4230	Donta Tanner

PUBLIC HEARING/SECOND READING
BILL 72, CD1 – COMMITTEE REPORT 328

A BILL FOR AN ORDINANCE RELATING TO CITY-OWNED STREAMS.

Councilmember Fukunaga moved that Committee Report 328 be adopted and Bill 72 pass second reading, as amended to CD1. Seconded by Councilmember Kobayashi.

The following individual testified:

Major Crizalmer Caraang, Honolulu Police Department (Support)

Committee Report 328 was adopted and Bill 72, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
 MARTIN, PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

*Councilmember Elefante voted aye with reservations.

PUBLIC HEARING/SECOND READING
BILL 43 (2016) – COMMITTEE REPORT 333

A BILL FOR AN ORDINANCE RELATING TO THE PLUMBING CODE.

Councilmember Pine moved that Committee Report 333 be adopted and Bill 43 (2016) pass second reading. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Elefante stated that he would be voting with reservations. He explained that he shares the same concerns as the Corporation Counsel and looks forward to further discussion on the measure.

Committee Report 333 was adopted and Bill 43 (2016) passed second reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, PINE,
 MENOR – 7.
NOES: None.
ABSENT: MARTIN, OZAWA – 2.

*Councilmember Elefante voted aye with reservations.

Related communication:

CC-300 Councilmember Pine

THIRD READING

BILL 62, CD2, FD1 – COMMITTEE REPORT 334

A BILL FOR AN ORDINANCE RELATING TO JOINT DEVELOPMENT.

The following amendment was posted on the agenda:

Bill 62, CD2, Proposed FD1

Councilmember Pine moved that Committee Report 334 be adopted and Bill 62, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Manahan.

Councilmember Manahan moved that the Bill be amended to FD1. Seconded by Councilmember Pine. The amendment narrows the scope of the Bill within the Transit-Oriented Development area to include the Waikiki and the Ala Moana Special Districts.

The following individual testified:

Daniel Neyer (Oppose)

Councilmember Manahan further explained that the FD1 version keeps with the intent of the Bill's introducer as well as with proponents of the measure. He acknowledged the help of the Chair of the Committee on Zoning and Housing on the amendments.

Bill 62, CD2 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE,
 MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

Committee Report 334 was adopted and Bill 62, CD2, FD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE,
 MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

[Note: Councilmember Ozawa (CC-210, CC-246) has Disclosure of Interest Statements on file with the City Clerk's Office.]

Related communication:

CC-300 Councilmember Pine

THIRD READING

BILL 3 (2016) – COMMITTEE REPORT 339

A BILL FOR AN ORDINANCE RELATING TO THE BUILDING CODE.

Councilmember Anderson moved that Committee Report 339 be adopted and Bill 3 (2016) pass third reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Shannon Alivado, General Contractors Association of Hawaii (M-4170) (Oppose)
2. Tyler Dos Santos-Tam, Executive Director, Hawai'i Construction Alliance (M-4186) (General comment)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-138).

Councilmember Anderson noted that the Council, as well as stakeholders, have had time to consider the Bill since its introduction in 2016. He stated that during Committee discussion the Honolulu Police Department agreed that viewing panels on construction site walls would help prevent thefts from occurring. The Councilmember requested the support of councilmembers in moving the Bill forward.

Committee Report 339 was adopted and Bill 3 (2016) passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

D-636 Robert J. Kroning, P.E., Director, Department of Design and Construction
D-637 Allan Nagata, Major, District 1, Honolulu Police Department
D-640 Kathy Sokugawa, Acting Director, Department of Planning and Permitting
M-4185 Stephen Yoshida, Jayar Construction, Inc.

M-4187 Bob Dewitz, American Electric
M-4188 Kenneth Lindsay
M-4189 James N. Kurita, LYZ Inc.
M-4190 Dale S. Yoneda, S & M Sakamoto, Inc.
M-4191 Stephen T. Leis, Dorvin D. Leis Co., Inc.
M-4192 TOMCO Corp.

THIRD READING

BILL 67, CD1 – COMMITTEE REPORT 340

A BILL FOR AN ORDINANCE RELATING TO CURB RAMPS.

Councilmember Anderson moved that Committee Report 340 be adopted and Bill 67, CD1 pass third reading. Seconded by Councilmember Pine.

The following individual testified:

Rose Pou (Oppose)

Committee Report 340 was adopted and Bill 67, CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

THIRD READING

BILL 68, CD2 – COMMITTEE REPORT 341

A BILL FOR AN ORDINANCE RELATING TO SPECIAL TRANSIT SERVICE.

Councilmember Anderson moved that Committee Report 341 be adopted and Bill 68, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Pine.

The following individuals testified:

1. Barbra Armentrout (Support)
2. Rose Pou (Support)
3. Daniel Neyer (General comment)

Committee Report 341 was adopted and Bill 68, CD2 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

RECESS/RECONVENE

At 10:58 a.m., the Chair called for a short recess and reconvened the meeting at 10:59 a.m.

DEFERRED TO LATER IN THE MEETING

BILL 45, CD1 – COMMITTEE REPORT 343

A BILL FOR AN ORDINANCE RELATING TO THE TRANSPORTATION SURCHARGE.

There being no objections from the 8 members present (Absent: Ozawa – 1), Chair Menor deferred Bill 45, CD1 until later in the meeting.

(Note: Later in the meeting, Committee Report 343 was adopted and Bill 45, CD1 passed third reading. See page 27.)

FIRST READING

BILL 71

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO ENVIRONMENTAL HEALTH.

Councilmember Anderson moved that Bill 71 pass first reading. Seconded by Councilmember Pine.

The following individual testified:

Robert Kline, Hawaii's Finest Products, LLC (M-4210) (Oppose)

In response to Councilmember Pine, Mr. Kline stated that the Bill promotes misinformation because polystyrene is not made out of Styrofoam. Medical studies have found that polystyrene is not like Styrofoam and does not break up into little pieces.

Councilmember Pine acknowledged the studies that Mr. Kline has provided; however, she requested that non-biased medical studies also be submitted for review.

Chair Emeritus Martin urged caution and suggested a phased-in approach with an analysis of the potential economic impacts on small businesses.

Councilmember Pine echoed Chair Emeritus Martin's comments that the economic impacts on small businesses should be considered. She stated that ocean-friendly small-business restaurants have noticed that the price of non-polystyrene products have reduced over time due to its greater demand. The Councilmember noted that one reason she introduced the Bill was because of its importance to crew members of the Hokuleia as polystyrene was hurting the ocean. Councilmember Pine requested the support of councilmembers as further discussion proceeds in Committee.

Councilmember Manahan voiced his support of the measure and stated his desire for further Committee discussion on how the industry would address transitioning the workforce into something more environmentally friendly.

Council Chair Menor stated his support for further Committee discussion on the Bill as it moves through the legislative process.

Bill 71 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-4141	Natalia Hussey-Burdick, Environmental Caucus of the Democratic Party of Hawaii
M-4142	Garry Smith
M-4157	Suzanne Frazer, Beach Environmental Awareness Campaign Hawaii
M-4158	Dean Otsuki
M-4159	Alice Terry
M-4160	Sheenah A. Nguyen
M-4161	Samantha Steenhuis
M-4162	Cathy Roberts
M-4163	Michael deYcaza
M-4164	Jean Chee
M-4165	Carie Sarver
M-4166	Mark Koller
M-4167	Vanessa Cass
M-4174	Ku‘ulei Neher
M-4195	Hawaii Food Manufacturers Association
M-4196	Chamber of Commerce Hawaii
M-4197	Gladys Nakamura-DePorto
M-4198	Bill Quinlan
M-4199	Toby Swanson
M-4200	Lee Stewart
M-4201	Dooraee Shin, Kokua Hawaii Foundation
M-4202	Tawni Kerr
M-4203	Tina Yamaki, Retail Merchants of Hawaii
M-4204	Marjorie Ziegler, Conservation Council for Hawai‘i
M-4205	Sheryl Lynch
M-4206	Leah Larmee
M-4207	Gregg Fraser
M-4208	June Chee
M-4209	Rafael Bergstrom, Surfrider Foundation
M-4211	Victor Lim, Hawaii Restaurant Association
M-4212	Lauren Zirbel, Hawaii Food Industry Association
M-4213	Jennifer Milholen, Styrophobia

FIRST READING

BILL 74

(Public Health, Safety and Welfare)

A BILL FOR AN ORDINANCE RELATING TO EMERGENCY MANAGEMENT.

Councilmember Anderson moved that Bill 74 pass first reading. Seconded by Councilmember Pine.

There was no public testimony.

Bill 74 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

FIRST READING

BILL 75

(Transportation and Planning)

A BILL FOR AN ORDINANCE TO ADOPT THE REVISED CENTRAL O'AHU SUSTAINABLE COMMUNITIES PLAN FOR THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Bill 75 pass first reading. Seconded by Councilmember Pine.

The following individuals testified:

1. Lei Learmont (M-4214) (Oppose)
2. Daniel Neyer (Oppose)

Bill 75 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

M-4168 Larry Meacham
M-4169 David L. Seeholzer

ADOPTION

RESOLUTION 17-202 – COMMITTEE REPORT 309

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE WAIKIKI BUSINESS IMPROVEMENT DISTRICT ASSOCIATION (WBIDA) FOR THE HONOLULU POLICE DEPARTMENT TO ADDRESS VARIOUS ILLEGAL ACTIVITIES ON THE PUBLIC SIDEWALKS IN SPECIFIC AREAS IN WAIKIKI.

Councilmember Elefante moved that Committee Report 309 and Resolution 17-202 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 309 and Resolution 17-202 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-203 – COMMITTEE REPORT 310

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE MINE SAFETY APPLIANCES COMPANY TO PROVIDE RESCUE EQUIPMENT TO HONOLULU FIRE DEPARTMENT PERSONNEL FOR CONFINED SPACE RESPONSES.

Councilmember Elefante moved that Committee Report 310 and Resolution 17-203 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 310 and Resolution 17-203 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-204 – COMMITTEE REPORT 311

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU FIREFIGHTERS FOUNDATION OF 56 TICKETS FOR ITS 8TH ANNUAL SIGNATURE CHEFS FOOD FESTIVAL ON SEPTEMBER 15, 2017.

Councilmember Elefante moved that Committee Report 311 and Resolution 17-204 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 311 and Resolution 17-204 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-209 – COMMITTEE REPORT 312

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM KICK START KARATE FOR SIX MEMBERS OF THE HONOLULU POLICE DEPARTMENT TO ATTEND THE 15TH ANNUAL TASTE OF KICK START FUND-RAISER ON SEPTEMBER 3, 2017.

Councilmember Elefante moved that Committee Report 312 and Resolution 17-209 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 312 and Resolution 17-209 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-218, CD1 – COMMITTEE REPORT 313

RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE HONOLULU POLICE DEPARTMENT TO APPLY FOR AND TO ENTER INTO AN AGREEMENT WITH THE BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE, FOR FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FY2017 LOCAL SOLICITATION.

Councilmember Elefante moved that Committee Report 313 and Resolution 17-218, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 313 and Resolution 17-218, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-220, CD1 – COMMITTEE REPORT 314

RESOLUTION URGING THE HONOLULU POLICE COMMISSION TO SELECT A CHIEF OF POLICE BY OCTOBER 31, 2017.

Councilmember Elefante moved that Committee Report 314 and Resolution 17-220, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Elefante acknowledged Chair Emeritus Martin for introducing the measure. He stated that the promotion should be from within the Department before seeking outside candidates. The Councilmember remains confident that a new Police Chief would be selected with value, integrity, and vision to lead the Department and ensure that Honolulu continues to be a safe City.

Committee Report 314 and Resolution 17-220, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-213 – COMMITTEE REPORT 316

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM THE CLIFF RIGSBEE
MEMORIAL FUND.

Councilmember Kobayashi moved that Committee Report 316 and Resolution 17-213 be adopted. Seconded by Chair Emeritus Martin.

There was no public testimony.

Committee Report 316 and Resolution 17-213 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-214 – COMMITTEE REPORT 317

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM THE HAWAII MEDICAL
SERVICE ASSOCIATION.

Councilmember Kobayashi moved that Committee Report 317 and Resolution 17-214 be adopted. Seconded by Chair Emeritus Martin.

There was no public testimony.

Committee Report 317 and Resolution 17-214 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-215 – COMMITTEE REPORT 318

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM SHINNYO-EN HAWAII.

Councilmember Kobayashi moved that Committee Report 318 and Resolution 17-215 be adopted. Seconded by Chair Emeritus Martin.

There was no public testimony.

Committee Report 318 and Resolution 17-215 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-216 – COMMITTEE REPORT 319

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM THE FAMILY OF HARRY AND FLO SAUNDERS.

Councilmember Kobayashi moved that Committee Report 319 and Resolution 17-216 be adopted. Seconded by Chair Emeritus Martin.

There was no public testimony.

Committee Report 319 and Resolution 17-216 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-217 – COMMITTEE REPORT 320

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM THE FRIENDS OF
HONOLULU PARKS AND RECREATION.

Councilmember Kobayashi moved that Committee Report 320 and Resolution 17-217 be
adopted. Seconded by Chair Emeritus Martin.

There was no public testimony.

Committee Report 320 and Resolution 17-217 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-226, CD1, FD1 – COMMITTEE REPORT 321

RESOLUTION REQUESTING THAT THE CITY ADMINISTRATION UPDATE THE AIEA
TOWN CENTER MASTER PLAN BY INCORPORATING THE AIEA COMMUNITY
ASSOCIATION'S RECOMMENDATIONS TO REFLECT THE COMMUNITY'S CURRENT
DEVELOPMENT PRIORITIES.

The following amendment was posted on the agenda and was not considered:

Resolution 17-226, CD1, Proposed FD1

The following amendment was handcarried to the meeting:

Resolution 17-226, CD1, Proposed FD1 (OCS2017-0941/9/5/2017 4:30 PM)

Councilmember Kobayashi moved that Committee Report 321 and Resolution 17-226, CD1 be adopted. Seconded by Chair Emeritus Martin.

Councilmember Fukunaga moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Elefante. The FD1 makes the following amendments:

A. Amends the 6th WHEREAS clause to read as follows:

"WHEREAS, between 2009 and 2014, the ACA sought to obtain a master development lease to undertake the implementation of the Master Plan because it viewed community control over the Aiea Town Center as the best way to ensure that the property was developed and maintained in a manner consistent with the vision and values of the Aiea community; and"

B. Amends the 7th WHEREAS clause to read as follows:

"WHEREAS, between 2014 and 2017, the ACA has continued its community outreach efforts to update and implement the Master Plan, including:

- (1) Conducting meetings with University of Hawaii at Manoa architectural and landscaping graduate students to update plans for recreational and community center uses within the Aiea Town Center Project Site; and
- (2) Lauding the 2014 opening of the new Aiea Public Library in the Aiea Town Center Project Site for its expansion of the library's function as a community gathering place for educational and social activities that benefit all community residents; and"

C. Amends the BE IT RESOLVED clause to read as follows:

"BE IT RESOLVED by the Council of the City and County of Honolulu that the City Administration is requested to update the 2002 Aiea Town Center Master Plan by incorporating as Appendices the Aiea Community Association's recommendations to reflect the community's current park development priorities; and"

D. Amends the 1st BE IT FURTHER RESOLVED clause to read as follows:

"BE IT FURTHER RESOLVED that the City Administration is requested to work closely with the Aiea Community Association to implement the Aiea Town Center Master Plan and its Appendices, incorporating to the largest extent possible, the designs, diagrams and planning notes provided by the Aiea Community Association; and"

E. Amends the 2nd BE IT FURTHER RESOLVED clause to read as follows:

"BE IT FURTHER RESOLVED that the City Administration is requested to post and link the Aiea Town Center Master Plan and its Appendices as an integral part of the Pearl Highlands, Pearlridge, and Aloha Stadium rail stations Transit-Oriented Development plans; and"

F. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Claire Tamamoto, Aiea Community Association (M-4218) (Support)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-286).

Councilmember Elefante thanked Ms. Tamamoto for her community efforts and acknowledged Councilmember Fukunaga's work on the Floor Draft amendment. The Councilmember voiced his support for the Resolution.

Resolution 17-226, CD1 was amended to the handcarried FD1 (OCS2017-0941/9/5/2017 4:30 PM).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Committee Report 321 and Resolution 17-226, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

M-4176 Laurie Chang
M-4215 Representative Sam Kong
M-4216 Karen Higa, Aiea Community Association
M-4217 Jane Sugimura
M-4219 Andy Kaufman

ADOPTION

RESOLUTION 17-208, CD1 – COMMITTEE REPORT 322

RESOLUTION AFFIRMING THE RESOLUTION FROM THE HAWAII STATE ASSOCIATION OF COUNTIES SUPPORTING THE HAWAII STATE LEGISLATURE'S APPROVAL OF AN EXTENSION OF THE HONOLULU GENERAL EXCISE AND USE TAX SURCHARGE AS NECESSARY TO ENABLE THE COMPLETION OF THE MINIMUM OPERABLE SEGMENT OF THE HONOLULU HIGH-CAPACITY TRANSIT CORRIDOR PROJECT TO ALA MOANA CENTER.

Councilmember Fukunaga moved that Committee Report 322 and Resolution 17-208, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 322 and Resolution 17-208, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, PINE,
 MENOR – 7.
NOES: None.
ABSENT: KOBAYASHI, OZAWA – 2.

ADOPTION

RESOLUTION 17-211 – COMMITTEE REPORT 325

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ASSOCIATION OF LOCAL GOVERNMENT AUDITORS.

Councilmember Manahan moved that Committee Report 325 and Resolution 17-211 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 325 and Resolution 17-211 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, PINE,
 MENOR – 7.
NOES: None.
ABSENT: KOBAYASHI, OZAWA – 2.

At this juncture, there being no objections from the 7 members present (Absent: Kobayashi, Ozawa – 2), the Chair considered Bill 45, CD1 on page 12 of the agenda.

THIRD READING

BILL 45, CD1 – COMMITTEE REPORT 343

A BILL FOR AN ORDINANCE RELATING TO THE TRANSPORTATION SURCHARGE.

Councilmember Manahan moved that Committee Report 343 be adopted and Bill 45 pass third reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Mayor Kirk Caldwell (Support)
2. Cynthia Frith (General comment)

Councilmember Elefante spoke in support of the measure. He thanked Mayor Caldwell for coming to Kapolei and for his leadership on the project. He also thanked Chair Menor and members of the committee for working with the State Legislature who have worked diligently to come up with a solution to ensure completion of the project and Governor Ige for signing the Bill into law. Councilmember Elefante stated that while he would have preferred an extension to the general excise tax only, he believes in compromise.

In response to councilmembers, Krishniah Murthy, Interim Executive Director, Honolulu Authority for Rapid Transportation (HART) stated that:

- HART is in discussions with the Federal Transit Administration (FTA) and will provide them with the plan by September 15th.
- The FTA will be looking at the funding scenarios and whether the recorded plan is credible.
- The FTA will look at the revenue generated by the Transient Accommodations over the past 10 years.
- The approval process will not happen quickly, and there will be discussions between HART, the City and the FTA.
- The FTA has been very supportive of the project.
- HART is confident that the FTA will approve the financial plan.
- The monies being provided in Bill 4 will get the project to the Ala Moana Station.
- HART is confident that \$8.165 billion calculation for capital costs, exclusive of finance or debt service charges, is a reliable figure.

Councilmember Kobayashi thanked the Legislature for the Bill that will bring transparency and confidence to many who have been concerned about the mismanagement of the project. She expressed her support for the measure because it will allow the project to reach Ala Moana and noted she looks forward to working with the new HART Director.

Councilmember Manahan spoke in support of the measure. He thanked the Legislature for their support and dedicated funding to be able to complete the minimum operating segment. He stated his confidence that the City will work together with the State in managing the project. He expressed his appreciation to the Mayor, councilmembers, Chair Menor and members of the Permitted Interaction Group who fought hard and believed in the project.

Chair Emeritus Martin thanked the Legislature for their hard work in reaching a very difficult decision but noted that he had faith in their ability, wisdom and political courage to do the right thing. He stated that this is a County, State and Federal government, and Private sector partnership working collaboratively with one another in good faith to move the project forward. He noted that he foresees going back to the Legislature in the future to have the line extended to University of Hawaii at Manoa and further. He stated that he would vote in support of the measure.

Chair Menor thanked the Legislature for their efforts and stated his support for the measure because extending the excise tax surcharge is an integral part of the Legislature's funding plan to generate sufficient revenue to complete the rail project. The passage of the measure will enhance the prospect that the FTA will approve HART's financial plan which will enable the City to continue to receive critical Federal financial support.

Committee Report 343 was adopted and Bill 45, CD1 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

CC-302 Councilmember Manahan
M-4193 Natalie Iwasa, CPA, CFE
M-4194 Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education
 Trust

Chair Menor returned to page 20 of the agenda.

ADOPTION

RESOLUTION 17-199, CD1 – COMMITTEE REPORT 307

RESOLUTION REQUESTING THAT THE CITY AUDITOR CONDUCT A FOLLOW-UP AUDIT OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION.

The following amendment was posted on the agenda and was not considered:

Resolution 17-199, CD1, Proposed FD1

Councilmember Manahan moved that Committee Report 307 and Resolution 17-199, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Manahan explained that Councilmember Ozawa agreed to his proposal to draft a new resolution to address the forensic audit issue. He thanked Councilmember Ozawa for his efforts.

Councilmember Manahan explained that the current measure is a follow up audit from the previous audit done by the City Auditor with recommendations to ensure proper oversight and better management of the project. He asked councilmembers to support the measure.

Chair Menor stated his support for the measure and noted that it will complement the provisions of the Legislature's funding plan by ensuring greater oversight and accountability.

Councilmember Pine spoke in strong support of the measure. She expressed her frustration with the continuous cost overruns. Councilmember Pine stated that she welcomed the new partnership with the State and believes that working together will benefit taxpayers.

Committee Report 307 and Resolution 17-199, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-4220 Natalie Iwasa, CPA, CFE
M-4221 Keli'i Akina, Grassroot Institute of Hawaii

ADOPTION

RESOLUTION 17-212, CD1 – COMMITTEE REPORT 326

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 326 and Resolution 17-212, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 326 and Resolution 17-212, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION

RESOLUTION 17-219 – COMMITTEE REPORT 327

RESOLUTION APPROVING COST ITEMS FOR THE UNIT 10 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE EMPLOYER AND THE UNITED PUBLIC WORKERS FOR THE PERIOD FROM JULY 1, 2017 TO JUNE 30, 2021, FOR BU 10 EMPLOYEES.

Councilmember Manahan moved that Committee Report 327 and Resolution 17-219 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-287).

Committee Report 327 and Resolution 17-219 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

M-4173 Dayton M. Nakanelua, State Director, United Public Workers

ADOPTION

RESOLUTION 17-198 – COMMITTEE REPORT 337

RESOLUTION URGING THE DIRECTOR OF PLANNING AND PERMITTING TO INCREASE ENFORCEMENT AND PROPOSE ANY MODIFICATIONS TO THE DEPARTMENT'S ADMINISTRATIVE RULES OR LEGISLATION THE DIRECTOR DEEMS NECESSARY TO ADDRESS THE PROBLEM OF THE ILLEGAL USE OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL ZONING DISTRICTS.

Councilmember Pine moved that Committee Report 337 and Resolution 17-198 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Keith Watanabe (Support)
2. Barbra Armentrout (General comment)

Committee Report 337 and Resolution 17-198 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

CC-303 Councilmember Pine
M-4222 Mary Morioka
M-4223 K. (meatstinks@gmail.com)

ADOPTION

RESOLUTION 17-221, CD1 – COMMITTEE REPORT 344

RESOLUTION APPROVING A CONCEPTUAL PLAN FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT FOR THE DEVELOPMENT OF THE 1500 KAPIOLANI CONDO-HOTEL AND RESIDENTIAL DEVELOPMENT PROJECT.

Councilmember Pine moved that Committee Report 344 and Resolution 17-221, CD1 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Jonathan Moore (Support)

In response to councilmembers, Mr. Moore and Donna Walden stated that:

- Ongoing discussions have been very productive with the developer.
- Any concerns are either adequately protected by law or will be amicably worked out with the developer.
- Concerns regarding the 60 foot wall during construction have been worked out with the developer.
- They are working with the developer on the wall that has no setback.

2. Kevin Carney (Support)

In response to Councilmember Pine, Mr. Carney stated that the project presents an extremely rare and unique opportunity because typically a non-profit or for-profit developer of low income rental housing cannot afford to pay for the land.

3. Rene Berthiaume (Support)

4. Keith Kurahashi, R.M. Towill (Support)

5. Jim Ratkovich (Support)

In response to councilmembers, Mr. Ratkovich stated:

- He is communicating with his neighbor and will take measures to ensure there are no problems during construction.

- He has added 20 stalls to accommodate neighbors and will work out details with Ms. Walden and Mr. Moore.
 - He will hire a Hawaii union general contractor who will utilize Hawaii building trades union workers as well as basic craft workers.
6. Reggie Castanares, Hawaii Building Trades (Support)
 7. Dione Kalaola, HRCC (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-291, CC-292, CC-293, CC-294, and CC-295).

Councilmember Pine thanked Councilmember Kobayashi, Vice Chair Anderson and the members of the Zoning Committee. She noted that this is a spectacular project and when the developer brought the transit-oriented development project to the City, there were no affordable units because it was not required. She thanked the Department of Planning and Permitting Director, the Mayor and all of their staff for their help in negotiating 68 affordable units for seniors. She stated that the developer will contribute the land, the pre-construction and some construction costs, close to \$8.8 million for the affordable housing portion, and will give up \$40 million in projected revenue for its investors.

Councilmember Kobayashi thanked Councilmember Pine for working patiently with her, area constituents, addressing the neighbor's concerns, and adding affordable senior housing.

Chair Emeritus Martin spoke in support of the measure. He commended the development team for working with all parties and continuing to address the concerns. He acknowledged the development team's support for the Kapiolani area and the North Shore community.

Committee Report 344 and Resolution 17-221, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communications:

CC-300	Councilmember Pine
M-4171	Christopher Delaunay, Pacific Resource Partnership
M-4226	Tyler Dos Santos-Tam, Hawai'i Construction Alliance
M-4227	Ryan K. Kobayashi, Hawaii Laborers Union Local 368
M-4228	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-4229	Ann Bouslog, PBR Hawaii
P-26	Deborah Spencer-Chun

ADOPTION

RESOLUTION 17-228, CD1 – COMMITTEE REPORT 338

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT AND SHORELINE SETBACK VARIANCE FOR THE HAWAIKI SUBMARINE FIBER-OPTIC CABLE LANDING AT KAPOLEI.

Councilmember Pine moved that Committee Report 338 and Resolution 17-228, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 338 and Resolution 17-228, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

CC-303	Councilmember Pine
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ADOPTION

RESOLUTION 16-247, CD1, FD1 – COMMITTEE REPORT 342

RESOLUTION APPROVING THE DOWNTOWN NEIGHBORHOOD TRANSIT-ORIENTED DEVELOPMENT (TOD) PLAN.

The following amendment was handcarried to the meeting:

Resolution 16-247, CD1, Proposed FD1 (OCS2017-0937/9/5/2017 9:37 AM)

Councilmember Anderson moved that Committee Report 342 and Resolution 16-247, CD1 be adopted. Seconded by Councilmember Pine.

Councilmember Fukunaga moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Manahan. The proposed FD1 makes the following amendments:

A. Amends Figure 2-6 to:

- Increase the FAR from 1.9 and 3.5, to 7.5 for Palama Settlement properties (TMK Nos. 1-7-045: 001 and 1-7-031: 040); and
- Increase the FAR from 3.5 to 7.5 for Salvation Army properties (TMK Nos. 1-7-023: 038 and 1-5-008: 006).

B. Amends Figure 2-7 to:

- Increase the maximum building height from 150 feet and 300 feet, to 400 feet for Palama Settlement properties (TMK Nos. 1-7-045: 001 and 1-7-031: 040); and
- Increase the maximum building height from 150 feet and 250 feet, to 400 feet for Salvation Army properties (TMK Nos. 1-7-023: 038 and 1-5-008: 006).

C. Makes miscellaneous technical and nonsubstantive amendments

The following individuals testified:

1. John Bennett, The Salvation Army (M-4172) (Support)
2. Earl Fusato, Executive Director, Palama Settlement (M-4224) (Support)
3. Hakim Ouansafi, Hawaii Public Housing Authority (M-4225) (Support)

Councilmember Manahan spoke in strong support of the measure. He thanked Councilmember Fukunaga for her work and help with the transit-oriented development (TOD) plans. He also thanked the Salvation Army and Palama Settlement for their testimony and noted that the communities are going to benefit from the zone changes for these organizations. He asked councilmembers to support the measure.

Chair Menor commended Councilmembers Fukunaga and Manahan for their hard work.

Resolution 16-247, CD1 was amended to the handcarried FD1 (OCS2017-0937/9/5/2017 9:37 AM).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Committee Report 342 and Resolution 16-247, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

[Note: Councilmember Ozawa (CC-248) has a Disclosure of Interest Statement on file with the City Clerk's Office.]

RECESS/RECONVENE

At 1:00 p.m., the Chair called for a short recess and reconvened the meeting at 1:01 p.m.

BALANCE OF COMMITTEE REPORTS

EMLACR-323

To request authorization to settle a case against the City and County of Honolulu entitled Darwin and Nadine Goo v. City and County of Honolulu, et al., Civil No. 16-1-1565-08 VLC.

<u>PWISCR-329</u>	Deed conveying roadway Lot 19347; Grant of Drain Easements 10521 and 10523; Grant of Flowage Easement 10518; Grant of Flowage Easements 10519, 10520, 10521, 10522 and 10523; Grant of Sewer Easement 10519; Grant of Sewer Easement 10534 (La Hiki at Mehana Subdivision) (<u>D-586</u>).
<u>ZHCR-330</u>	<u>Bill 74 (2015), CD1</u> – Relating to the Transit-Oriented Development Special District. Granting a 43-day extension of time. (Deadline: 9/8/17 + 43 days)
<u>ZHCR-331</u>	<u>Bill 75 (2015), CD1</u> – Relating to miscellaneous Land Use Ordinance amendments. Granting a 43-day extension of time. (Deadline: 9/8/17 + 43 days)
<u>ZHCR-332</u>	<u>Bill 76 (2015), CD1</u> – To rezone land situated at Waipahu, Oahu, Hawaii. Granting a 43-day extension of time. (Deadline: 9/8/17+ 43 days)

Councilmember Anderson moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Elefante stated his desire to work with councilmembers, the Zoning and Housing Chair, and Chair Menor who represents the Waipahu area, to have an affordable housing requirement in place before Bill 74 passes final reading. He noted that Bill 58 which defines affordable housing requirements and TOD areas should pass prior to Bill 74. He noted he will vote in support of the extension of times for Bills 74, 75 and 76.

The Balance of Committee Reports was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Related communication:

CC-300 Councilmember Pine

UNFINISHED BUSINESS

There was no unfinished business.

RECESS/RECONVENE

At 1:04 p.m., the Chair called for a short recess and reconvened the meeting at 1:05 p.m.

NEW BUSINESS

ADOPTION

RESOLUTION 17-227

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM BENESEED CO., LTD. TO PAY FOR THE CONSTRUCTION AND INSTALLATION OF TWO PARK BENCHES AT THE ALA MOANA BEACH PARK.

Resolution 17-227 was waived to the Council floor by the Chair of the Business, Economic Development and Tourism Committee.

Councilmember Anderson moved that Resolution 17-227 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Resolution 17-227 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, PINE, MENOR – 8.

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

CC-283 Councilmember Ozawa

ADOPTION
RESOLUTION 17-229

RESOLUTION RENAMING THE WAIKIKI SHELL IN HONOR OF TOM MOFFATT.

Councilmember Anderson moved that Resolution 17-229 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Michele Nekota, Director, Department of Parks and Recreation for Guy Kaulukukui,
Director, Department of Enterprise Services (D-641) (Support)

Resolution 17-229 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

ADOPTION
RESOLUTION 17-244, FD1

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP (PIG) TO INVESTIGATE MATTERS RELATING TO FIRE SAFETY IN RESIDENTIAL BUILDINGS.

The following amendment was posted on the agenda:

Resolution 17-244, Proposed FD1

Councilmember Anderson moved that Resolution 17-244 be adopted. Seconded by Councilmember Pine.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Fukunaga. The proposed FD1 makes the following amendments:

- A. Amends the BE IT RESOLVED clause to name Councilmembers Ann Kobayashi, Carol Fukunaga, and Trevor Ozawa as members of the Permitted Interaction Group.
- B. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Councilmember Kobayashi noted that Councilmember Manahan has a very important recycling program and his constituents' concerns will be presented to the PIG at its meeting.

Resolution 17-244 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

Resolution 17-244, FD1 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN,
 PINE, MENOR – 8.
NOES: None.
ABSENT: OZAWA – 1.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Pine thanked Chair Menor, the staff and all councilmembers for coming to Kapolei. She also thanked Mayor Caldwell for attending the Council Meeting in Kapolei, illustrating that Kapolei is the Second City.

Chair Menor stated he was pleased to finish the Council meeting at a reasonable hour and that Councilmember Pine could enjoy her birthday and Councilmember Elefante would have lots of time to catch his flight. He wished Councilmember Pine a Happy Birthday and thanked councilmembers for their participation and assistance in completing the meeting in a very expeditious fashion.

ADJOURNMENT

At 1:11 p.m., there being no objections from the 8 members present (Absent: Ozawa – 1), Chair Menor adjourned the meeting to Wednesday, October 11, 2017.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

dn/jy

DATE APPROVED:

October 11, 2017